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AUTHORIZING THE DONATION OF CERTAIN NON-FEDERAL LANDS TO GETTYSBURG NATIONAL MILITARY PARK AND TO REQUIRE A STUDY AND REPORT ON THE FINAL DEVELOPMENT OF THE PARK

SEPTEMBER 25, 1987.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 797]

The Committee on Energy and Natural Resources, to which was referred the act (H.R. 797) authorizing the donation of certain non-Federal Lands to Gettysburg National Military Park and to require a study and report on the final development of the park, having considered the same, reports favorably thereon without amendment and recommends that the act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 797 is to direct the Secretary of the Interior to accept the donation of approximately 31 acres of land known as the "Taney Farm" for inclusion in the Gettysburg National Military Park in Pennsylvania.

BACKGROUND AND NEED

Gettysburg National Military Park is located in Adams County, PA. The park preserves the important lands and commemorates the events associated with the historic Battle of Gettysburg, which took place between July 1-3, 1863. Originally established in 1895 under the administration of the Secretary of War, the administration of the park was transferred to the National Park Service in 1933.

Gettysburg National Military Park is one of several national park units with no statutory boundary. The enabling legislation establishing the park in 1895 only noted that land for the park may not exceed in area the parcels shown on the map prepared by Major General Daniel E. Sickles, and such other adjacent lands as may be necessary to preserve the important topographical features

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of the battlefield. The present boundary of the park represents the administrative plan for the park that was developed in 1974.

The Taney Farm which would be added to the park by H.R. 797, is located adjacent to the existing administrative park boundary. The Committee has received testimony from the administration and the public as to the significant historical value of the farm. It was occupied by Confederate troops during the fighting of July 3, 1863, and was later used as a field hospital. A 1978 report of the Advisory Council on Historic Preservation identified the Taney Farm as a "critical area".

Legislative History

H.R. 797 passed the House on March 10, 1987, by a voice vote. A hearing was held by the Subcommittee on Public Lands, National Parks and Forests on July 30, 1987. H.R. 797 is identical to a measure which passed the House last year but was not considered in the Senate.

At a business meeting on September 16, 1987, the Senate Committee on Energy and Natural Resources ordered H.R. 797 favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on September 16, 1987 by unanimous vote of a quorum present recommends that the Senate pass H.R. 797 as described herein.

The rollcall vote on reporting the measure was 17 yeas, 0 nays as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Metzenbaum*	
Mr. Bradley*	
Mr. Bingaman*	
Mr. Wirth	
Mr. Fowler*	
Mr. Conrad	
Mr. McClure	
Mr. Hatfield*	
Mr. Domenici*	
Mr. Wallop	
Mr. Murkowski	
Mr. Nickles*	
Mr. Hecht	
Mr. Evans.	

*Indicates voted by proxy.

Cost and Budgetary Considerations

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 22, 1987.

Hon. J. BENNETT JOHNSTON, Jr.,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 797, an act to authorize the donation of certain nonfederal lands to Gettysburg National Military Park and to require a study and report on the final development of the park, as ordered reported by the Senate Committee on Energy and Natural Resources, September 16, 1987. Enactment of this legislation is not expected to have any significant impact on the federal budget.

H.R. 797 would direct the Secretary of the Interior to accept the donation of the 31-acre Taney Farm for inclusion within the Gettysburg National Military Park. Because the site contains no structures, its inclusion is not expected to add significantly to the annual costs of operating and maintaining the park.

Section 2(a) of the act would prohibit the Secretary from acquiring any other additional land outside of the park's administrative boundaries until the Congress receives a completed boundary study. No such acquisitions are currently anticipated, and this provision is not expected to have any impact on federal spending. The boundary study required by Section 2(b) will result in no additional cost, because the study is already being undertaken with existing authority.

No costs would be incurred by state or local governments as a result of enactment of H.R. 797.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

EDWARD M. GRAMLICH,
Acting Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 797. The act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 797, as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to H.R. 797 is set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, August 17, 1987.

Hon. J. BENNETT JOHNSTON,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request for our views on H.R. 797, an act "To authorize the donation of certain non-Federal lands to Gettysburg National Military Park and to require a study and report on the final development of the park."

We strongly recommend enactment of H.R. 797, which was passed by the House of Representatives on March 10, 1987.

As passed by the House, H.R. 797 would direct the Secretrary of the Interior to accept a donation of approximately 31 acres of land known as the "Taney Farm" for administration as part of the Gettysburg National Military Park in the Commonwealth of Pennsylvania. Section 2 of the bill places a moratorium on land acquisition outside of the administrative boundary, which is identified on the map dated July 25, 1974, until a boundary study is submitted to Congress.

Gettysburg National Military Park was established on February 11, 1895, to commemorate one of the great battles of the Civil War. On the gently rolling farm lands surrounding the little town of Gettysburg, Pennsylvania, one of the most decisive battles in American history was fought. For three days, from July 1 to 3, 1863, a gigantic struggle between 75,000 Confederate troops and 97,000 Union troops raged about the town and resulted in 51,000 casualties. Herioc deeds were numerous on both sides, climaxed by Pickett's Charge on July 3. The Union victory gained on these fields ended the last major Confederate invasion of the North and marked the beginning of a gradual decline in Southern military power.

The donation of the Taney Farm should be accepted by the United States because of its significant role in the struggle for Culp's Hill on the late afternoon and evening of July 2 and the morning of July 3. Bested by General James Longstreet's Confederates in the terrible fight that had centered on the Peach Orchard, the Wheatfield, and Devil's Den, Union General George G. Meade was compelled to weaken the forces holding the Culp's Hill area in order to shore up the Union left along Cemetery Ridge and Little Round Top.

Coincidentally, three Confederate brigades advanced to assail the Union troops posted on Culp's Hill. The left brigade, led by General George H. Steuart, advanced across the Taney Farm and drove back Union skirmishers. The Confederates then forded Rock Creek, taking longer to cross than anticipated, and reached the foot of Culp's Hill. As Steuart's troops pressed ahead, they found that the Federal troops had pulled out of the entrenchments along the spur extending south from the crest of Culp's Hill to Spangler's Spring. There was rapid redeployment of troops by Union General George Greene to meet the threat to his right. This, and the advent of darkness, caused the Confederates to hesitate, and they failed to exploit an advantage that could have turned the tide at Gettys-

burg. During the night, the Union troops sent to shore up General Meade's left returned to Culp's Hill sector. When the fight for Culp's Hill resumed before daybreak on July 3, time had run out for the Confederates on General Robert E. Lee's left. They first sought to exploit their success of the previous evening, seize the crest of Culp's Hill and reach the Baltimore Pike, but they were driven from the eastern slopes of the hill and across Rock Creek.

The Taney Farm is important to the interpretation and protection of Gettysburg National Military Park. It is the area across which Steuart's people advanced to cross Rock Creek. By their occupation of the deserted entrenchments, they threatened to turn the Union left and compel General Meade to abandon Culp's Hill, thus making the Union army's position untenable.

Because the Taney Farm borders Rock Creek and is within sight of Spangler's Spring, a key battlefield interpretive area, its possible acquisiton by a developer would pose a threat to the resources that were included within Gettysburg National Military Park, as identified by Congress in 1895. Further, this specific tract of land was also identified in a June 1977 report prepared by the Advisory Council on Historic Preservation, entitled "A Plan to Preserve the Historic Resources of the Gettysburg Area of the Commonwealth of Pennsylvania", as a historic area whose development could adversely impact the park. It was further identified as an area "critical" to the long-term preservation of the park resources. The tract was purchased by the non-profit Gettysburg Battlefield Preservation Association to prevent its development and in anticipation of an ultimate transfer of the property to the National Park Service for inclusion within the boundaries of Gettysburg National Military Park. The enactment of H.R. 797 would provide the specific authority to accept donation.

The Taney Farm contains no existing historic structures related to the battle which would require perpetual care. Therefore, the acceptance of this donation would not significantly increase the park's maintenance costs.

With regard to the moratorium on land acquisition outside of the administrative boundary and the requirement for a boundary study, we note that the National Park Service has already initiated a study of the boundary for Gettysburg National Military Park. The study is being conducted, in part, because we agree that there needs to be a professional evaluation of the resources that should be included in the park. In contrast to previous studies of Civil War battlefield boundaries, the current study is being conducted with full involvement of park neighbors and their elected representatives. A series of meetings was held with local officials during June, and on July 8 the study team had its first meeting with the general public to discuss issues that will be addressed. Several additional public involvement sessions are scheduled for the months ahead, and we expect to have our work on the study completed by the end of 1987. The National Park Service wil identify the historic resources important to the story of Gettysburg, will assess alternative methods for protecting those resources, and will consider how potential boundary adjustments will affect the tax base and other local concerns.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

SUSAN RECCE,
Acting Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act, H.R. 797, as reported.

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